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**BOARD OF TRUSTEES
TOWN OF MESILLA
REGULAR MEETING
MONDAY, JANUARY 11, 2021
6:00 P.M.**

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VIA TELECONFERENCE 1-346-248-7799, MEETING ID 983-7900-0389 PASSWORD 971704

TRUSTEES: Nora L. Barraza, Mayor
Carlos Arzabal, Mayor Pro Tem
Jesus Caro, Trustee
Veronica Garcia, Trustee
Stephanie Johnson-Burick, Trustee

STAFF: Cynthia Stoechner-Hernandez, Town Clerk
Kevin Hoban, Fire Chief
Eddie Lerma, Marshal
Rod McGillivray, Public Works Director
Dorothy Seller, Special Events Coordinator
Larry Shannon, Community Development Coordinator
Gloria Maya, Recorder

1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Barraza, Mayor Pro Tem Arzabal, Trustee Caro, Trustee Garcia, Trustee Johnson-Burick.

Mayor Barraza held a Moment of Silence for those who have passed away locally and nationally.

3. CHANGES TO THE AGENDA & APPROVAL

Mayor Barraza removed item 5b from the consent agenda and removed item 7a under new business from the agenda.

Motion: To approve agenda as amended, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Caro.

Roll Call Vote: Motion passed (summary: Yes =4).

Mayor Pro Tem Arzabal Yes

Trustee Caro Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

1
2 **4. PUBLIC INPUT – The public is invited to address the Board for up to 3 minutes.**

3 **Public input in writing shall be received at cynthias-h@mesillanm.gov an hour before the meeting**
4 **begins on the day of the meeting and will be read into the record. You will also be given an**
5 **opportunity to speak during this time by pressing *9 while in the teleconference. You will be**
6 **prompted when to begin speaking.**

7 Ms. Stoechner-Hernandez read correspondence from Ms. Krueger.

8
9 Mayor Barraza read correspondence from Mr. Nevarez.

10
11 **5. APPROVAL OF CONSENT AGENDA:** (The Board will be asked to approve by one motion the
12 following items of recurring or routine business. The Consent Agenda is marked with an asterisk *)

13 **Motion: To approve consent agenda as amended, Moved by Trustee Johnson-Burick, Seconded by**
14 **Trustee Garcia.**

15
16 **Roll Call Vote:** Motion passed (summary: Yes =4).

17 Mayor Pro Tem Arzabal Yes

18 Trustee Caro Yes

19 Trustee Garcia Yes

20 Trustee Johnson-Burick Yes

21
22 a) ***BOT MINUTES** – Minutes of a Special Meeting and Regular Meeting on
23 December 14, 2020. **Approved by consent agenda**

24
25 b) ***PZHAC Case 061148 w/conditions** - 2130 Calle de Picacho, submitted for Neal
26 McMillan by Miguel Rincon of Hurlburt Construction; a request for a zoning
27 permit to incorporate part of an existing structure into a new dwelling to be
28 constructed at this address. Zoned: Historic Residential (HR). **Removed from**
29 **consent agenda**

30 Mayor Barraza read the conditions placed by PZHAC. She stated the plans are not clear regarding the
31 height of building, as well as the roof being pitched and the surrounding properties having flat roofs. This
32 is a concern due to the Development Zone and this is more territorial than Northern New Mexico.

33
34 Mayor Pro Tem Arzabal stated the PZHAC approved this case 5-0 with conditions; they did their job.
35 The question of the Development Zone will always come in to play as well as the Yguado Plan.
36 Recommended adding an amendment.

37
38 Mayor Barraza gave the history of the building.

39
40 Mayor Pro Tem Arzabal stated if the applicant choses to have an Airbnb, he will have to follow the
41 process.

42
43 Trustee Caro stated the house is more than 50 years old. He does not feel the style being proposed fits in
44 that area.

45 Trustee Johnson-Burick stated she is not comfortable with the plans that have been submitted; feels there
46 needs to be specific plans submitted.

47
48 Mr. Shannon stated the plans show the height at 15 feet. The applicant is willing to submit a large set of
49 plans. The chimney will be 2 ft. higher.

1
2 Mayor Barraza asked if there was any discussion during the PZHAC meetings with regards to the style
3 and the pitched roof.

4
5 Mr. Shannon responded it was discussed and the Commissioners decided they like the style of the
6 building for that area. The applicant assured the Commissioners that the existing building would be
7 repaired but remain the same style.

8
9 Trustee Garcia stated she has the same concerns.

10
11 Mayor Pro Tem Arzabal stated he recommends postponing the case until complete plans are submitted.

12
13 Mayor Barraza recommended a joint work session for further discussion.

14
15 **Motion: To postpone PZHAC Case 061148 w/conditions – 2130 Calle de Picacho, submitted**
16 **for Neal McMillan by Miguel Rincon of Hurlburt Construction; a request for a zoning**
17 **permit to incorporate part of an existing structure into a new dwelling to be constructed at**
18 **this address. Zoned: Historic Residential (HR), Moved by Mayor Pro Tem Arzabal,**
19 **Seconded by Trustee Garcia.**

20
21 Mayor Barraza reviewed what needed to be brought forth to the work session.

22
23 Mayor Pro Tem Arzabal asked that the applicant be made aware of what is going to be needed
24 prior to the work session.

25
26 **Roll Call Vote:** Motion passed (summary: Yes=4).

27 Mayor Pro Tem Arzabal Yes

28 Trustee Caro Yes

29 Trustee Garcia Yes

30 Trustee Johnson-Burick Yes

- 31
32 c) ***PZHAC Case 061152 – 2230 Avenida de Mesilla, submitted by Roman Prieto; a**
33 **request for a sign permit to allow a Directory Sign to be installed at this address.**
34 **Zoned: Historical Commercial (HC). *Approved by consent agenda***

35
36 **6. OLD BUSINESS:**

- 37 a) **Resolution 2021-01:** a resolution denying an appeal by Natalie Ogaz for case V20-001 to allow
38 a variance to a building height of a dwelling from 15 feet to 18 feet located at 2729 Calle de San
39 Albino. – **Board of Trustees.**

40 Ms. Stoechner-Hernandez read Resolution 2021-01: a resolution denying an appeal by Natalie Ogaz for
41 Case V20-001 to allow a variance to a building height of a dwelling from 15 feet to 18 feet located at
42 2729 Calle de San Albino. She stated a copy of the resolution will be provided to the appellant.

43
44 **Motion: To approve Resolution 2021-01: a resolution denying an appeal by Natalie Ogaz for Case**
45 **V20-001 to allow a variance to a building height of a dwelling from 15 feet to 18 feet located at 2729**
46 **Calle de San Albino, Moved by Trustee Johnson-Burick, Seconded by Trustee Caro.**

47
48 Trustee Garcia asked why there is a resolution when the motion died.

49
50 Mayor Barraza responded when there is a tied vote the motion does not pass.

1 Mayor Pro Tem Arzabal asked why the Mayor was required to vote when there was not a tie; how does
2 the Mayor have a higher power to dictate how this case got denied.

3
4 Ms. Stoechner-Hernandez reviewed the 2/3 super majority requirements: 18.85.260.

5
6 Mayor Pro Tem Arzabal stated the vote looked like a tie with himself and Trustee Garcia voting no and
7 the Mayor and Trustee Johnson-Burick voting yes. He asked why the Mayor voted when it was not a tie.

8
9 Ms. Stoechner-Hernandez stated the motion needed to have 3 affirmative votes to pass. Even if the Mayor
10 had not voted the motion would still have failed since there were only 2 votes to approve.

11
12 Mayor Barraza responded that she is still a member of the board. Also, a tie is a no pass vote. There are
13 some sections of the code that require a 2/3 super majority vote.

14
15 **Roll Call Vote:** Motion passed (**summary:** Yes =3; No=2).

16 Mayor Pro Tem Arzabal No

17 Trustee Caro Yes

18 Trustee Garcia No

19 Trustee Johnson-Burick Yes

20 Mayor Barraza Yes

21
22 **7. NEW BUSINESS:**

23 a) **For approval:** a stipend for a Public Works employee. – **Rod McGillivray, Public Works**
24 **Director. Removed from agenda**

25
26 b) **Resolution 2021-02:** a resolution declaring surplus property to be nonessential for government
27 functions to be sold pursuant to NM State Statute 3-5-2 (2019). – **Board of Trustees.**

28 Ms. Stoechner-Hernandez stated this will allow us to dispose a vehicle from the Fire Department. The
29 opening bid will be \$20,000; if that is not met, we will go to auction on publicsurlus.com.

30
31 **Motion: To approve Resolution 2021-02: a resolution declaring surplus property to be nonessential**
32 **for government functions to be sold pursuant to NM State Statute 3-5-2(2019), Moved by Mayor**
33 **Pro Tem Arzabal, Seconded by Trustee Garcia.**

34
35 Fire Chief Hoban asked if the bid could be \$20,000 or best offer.

36
37 Ms. Stoechner-Hernandez responded if the minimum is not met it would need to go out to re-bid.

38
39 **Roll Call Vote:** Motion passed (**summary:** Yes =4).

40 Mayor Pro Tem Arzabal Yes

41 Trustee Caro Yes

42 Trustee Garcia Yes

43 Trustee Johnson-Burick Yes

44
45 c) **Resolution 2021-03:** a resolution of certification of the Town of Mesilla Fiscal Year 2019-2020
46 Capital Asset Inventory. – **Cynthia Stoechner-Hernandez, Clerk/Treasurer.**

47 Ms. Stoechner-Hernandez read Resolution 2021-03: a resolution of certification of the Town of Mesilla
48 Fiscal Year 2019-2020 Capital Asset Inventory.

1 **Motion: To approve Resolution 2021-03: a resolution of certification of the Town of Mesilla Fiscal**
2 **Year 2019-2020 Capital Asset Inventory, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee**
3 **Garcia.**

4
5 **Roll Call Vote:** Motion passed (summary: Yes =4).

6 Mayor Pro Tem Arzabal Yes

7 Trustee Caro Yes

8 Trustee Garcia Yes

9 Trustee Johnson-Burick Yes

10
11 **8. *STAFF REPORTS:**

12 Community Development

13 Community Programs

14 Finance Department

15 Fire Department

16 Marshal's Department

17 Public Works Department

18
19 **9. BOARD OF TRUSTEE COMMITTEE REPORTS**

20 Mayor Pro Tem Arzabal: CEO meeting to be held in February

21
22 Trustee Garcia: MPO meeting Wednesday at 1:00 p.m.

23
24 Trustee Johnson-Burick: MPO meeting Wednesday at 1:00 p.m. to be held at the County Commissioner
25 Chambers.

26
27 Mayor Barraza: OEM meeting on Friday after Christmas.

28
29 **10. BOARD OF TRUSTEE/STAFF COMMENTS**

30 Fire Chief Hoban gave an update on COVID-19. We need to continue to take care of ourselves and
31 others; 2 firefighters recovering from COVID-19.

32
33 Marshal Lerma gave an update regarding the Marshal's vehicles and stated the plant shut down due to
34 COVID, so the units ordered are still at the factory. He has been given the okay to order two more units
35 and is hopeful all four units will come in at the same time.

36
37 Mayor Barraza asked about any illegal activity during the holidays with people on the plaza and the
38 requirement for facemasks.

39
40 Marshal Lerma responded there was some larcenies and one arrest; was quiet which he attributes to the
41 officers being more vigilante. He stated he was not informed of any issues.

42
43 Fire Chief Hoban responded there were no group gatherings on the plaza or issues with the facemask
44 requirement.

45
46 Mr. McGillivray stated the lighting on the plaza is complete. Public Work staff has been doing
47 disinfectant fogging at the Community Center and Town Hall. A public meeting for Phase II of the
48 Multi-Trail Path will be held on Wednesday at 5:30 p.m. via Zoom.

49
50 Ms. Stoechner-Hernandez stated a new Mayor Pro Tem will be selected and committee assignments will

1 be done at the next Board of Trustees meeting.

2
3 Trustee Caro stated he is hoping this will get better this next year.

4
5 Trustee Johnson-Burick stated she will be getting the 2nd COVID vaccine this week and is hoping to be
6 able to visit her grandmother soon. She asked if the town received the money from Dona Ana Sheriff's
7 Department (DASO) for the wrecked vehicle.

8
9 Marshal Lerma responded the town did receive money from DASO for the wrecked unit and that work
10 has already been completed.

11
12 Trustee Johnson-Burick stated there is a section on the west side of Calle de Cura that needs attention.

13
14 Mr. McGillivray responded that project is on the list.

15
16 Trustee Garcia stated there was not very many people on the plaza on Christmas Eve. She asked
17 everyone to participate with a Chick-Fil-A fundraiser for a four-year-old who was diagnosed with
18 leukemia.

19
20 Mayor Pro Tem Arzabal thanked the Trustees for allowing him to serve as Mayor Pro Tem. The
21 community came together when Ms. Gloria Garza passed away; Mesilla is a tight knit community. He
22 asked when will the town hold public meetings; recommended using the Community Center.

23
24 Mayor Barraza stated the MPO is still doing zoom.

25
26 Mayor Pro Tem Arzabal stated he feels we need the face-to-face meetings.

27
28 Mayor Barraza stated she does not anticipate face-to-face meetings until spring or later.

29
30 Fire Chief Hoban responded we need to see when Dona Ana County turns green.

31
32 Mayor Pro Tem Arzabal stated he feels we have lost touch with our residents during this pandemic.

33
34 Mayor Barraza stated some of our residents have requested assistance since they do not have or know
35 how to use a computer. She has offered the computer in the visitor center but then how will they get the
36 emails with vaccine information.

37
38 Fire Chief Hoban stated he believes they were looking at other avenues for these types of issues.

39
40 Trustee Garcia stated there is a phone number for them to call. She is willing to help the residents register
41 for the vaccine during her days off.

42
43 Mayor Barraza asked Trustee Garcia to get with Ms. Sellers to coordinate the information. She spoke to
44 Mr. Daniels, NM Department of Health, to have the Town of Mesilla set up as a vaccination site.
45 Upcoming meetings are MPO, Mayor's Caucus, SCRTD, OEM. She thanked everyone for their help and
46 cooperation during these times.

47
48 **11. ADJOURNMENT**

49 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-**
50 **4)**

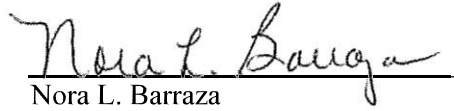
1 MEETING ADJOURNED AT 7:17 P.M.

2

3 APPROVED THIS 25th DAY OF JANUARY, 2020.

4

5



Nora L. Barraza
Mayor


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7

8

9 ATTEST:

10

11 

12 Cynthia Stoechner-Hernandez

13 Town Clerk/Treasurer

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